

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Gatlin Ray Hardin**

**Docket No. 7:14-CR-88-2FL**

**Petition for Action on Supervised Release**

COMES NOW Henry Ponton, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Gatlin Ray Hardin, who, upon an earlier plea of guilty to Theft of Firearms from a Federally Licensed Firearms Dealer and Aiding and Abetting in violation of 18 U.S.C. §922(u), §924(i)(1), and §2, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on October 23, 2015, to the custody of the Bureau of Prisons for a term of 18 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months. On April 14, 2016, an order modifying the judgment was filed reducing the imprisonment sentence to 14 months.

Gatlin Ray Hardin was released from custody on August 26, 2016, at which time the term of supervised release commenced. On November 8, 2016, the defendant's conditions were modified by Your Honor to include substance abuse testing and treatment following a positive urinalysis sample for cocaine and oxycodone on October 19, 2016. Additionally, the court was advised that the defendant was serving a 90-day jail term as a sanction for violation of his state probation. The allegations of his violation primarily involved failure to report as instructed. The defendant was released from custody on January 13, 2017 and resumed his period of supervision with our office.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On February 14, 2017, the defendant submitted a urinalysis sample that tested positive for marijuana. On March 2, 2017, the defendant was confronted about his drug use and admitted to use of marijuana on February 14, 2017 and February 28, 2017. He subsequently signed an admission form formally admitted to use of illegal substances on the above dates.

On March 2, 2017, the defendant submitted a urinalysis sample that tested positive for cocaine and marijuana. Based on his previous admission, the marijuana positive would be considered residual. He was confronted about his cocaine use on March 7, 2017. While the defendant did not directly admit to use of cocaine, he admitted that he and his cousin were in possession and admitting to handling the drug. The sample was confirmed positive for cocaine by Alere Laboratories on March 9, 2017. The sample was also deemed to be diluted based on the specific gravity levels. On March 31, 2017, he subsequently signed a formal admission form.

The defendant signed a Waiver of Hearing on March 31, 2017 agreeing to the proposed modification of supervision. The defendant remains in substance abuse treatment and random urinalysis testing at Reality Counseling in Lumberton, North Carolina.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 3 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

**Gatlin Ray Hardin**  
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Reviewed and approved,


I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Eddie J. Smith  
Eddie J. Smith  
Supervising U.S. Probation Officer

/s/ Henry Ponton  
Henry Ponton  
U.S. Probation Officer  
150 Rowan Street Suite 110  
Fayetteville, NC 28301  
Phone: 910-354-2536  
Executed On: April 07, 2017

**ORDER OF THE COURT**

Considered and ordered this 7th day of April, 2017, and ordered filed and  
made a part of the records in the above case.



Louise W. Flanagan  
U.S. District Judge